

## INTERNATIONAL SEARCH REPORT

10/510969

Report date 12 OCT 2004

Int'l Application No.

PCT/EP 03/04007

A. CLASSIFICATION OF SUBJECT MATTER  
IPC 7 C12Q1/68

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C12Q

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the International search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, BIOSIS, EMBASE

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	<p>AFFYMETRIX PRODUCT INFORMATION: "Human Genome U95Av2"</p> <p>CATALOGUE, 'Online! XP002215481</p> <p>Retrieved from the Internet: &lt;URL: http://www.affymetrix.com&gt;</p> <p>'retrieved on 2002-10-02!</p> <p>the whole document</p> <p>---</p> <p>-/-</p>	50-53



Further documents are listed in the continuation of box C.



Patent family members are listed in annex.

## \* Special categories of cited documents :

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the International filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the International filing date but later than the priority date claimed

- \*T\* later document published after the International filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- \*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- \*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- \*&\* document member of the same patent family

Date of the actual completion of the international search

19 September 2003

Date of mailing of the international search report

02/10/2003

Name and mailing address of the ISA

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## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>OHMINE KEN ET AL: "Analysis of differential gene expression between STI571-sensitive and resistant BCR/ABL-positive cell lines by a DNA microarray."            BLOOD,            vol. 98, no. 11 Part 1,            16 November 2001 (2001-11-16), page 306a            XP009016934            43rd Annual Meeting of the American Society of Hematology, Part 1;Orlando, Florida, USA; December 07-11, 2001, November 16, 2001            ISSN: 0006-4971            the whole document</p> <p>---</p>	1-5, 10-36, 43-58
A	<p>VON BUBNOFF NIKOLAS ET AL: "Gene expression profiles of leukemic cells isolated from patients with chronic myeloid leukemia (CML) and Philadelphia-positive acute lymphoblastic leukemia (PH+ ALL) receiving the Abl-kinase inhibitor STI571."            BLOOD,            vol. 98, no. 11 Part 1,            16 November 2001 (2001-11-16), page 567a            XP002253603            43rd Annual Meeting of the American Society of Hematology, Part 1;Orlando, Florida, USA; December 07-11, 2001, November 16, 2001            ISSN: 0006-4971            the whole document</p> <p>---</p>	1-5, 10-36, 43-58
A	<p>ONIDA FRANCESCO ET AL: "Acquired in-vitro resistance to STI571 (Imatinib Mesylate) in BCR-ABL positive cell lines: Investigation of gene expression by molecular pathway microarrays."            BLOOD,            vol. 98, no. 11 Part 1,            16 November 2001 (2001-11-16), pages 567a-568a, XP009016798            43rd Annual Meeting of the American Society of Hematology, Part 1;Orlando, Florida, USA; December 07-11, 2001, November 16, 2001            ISSN: 0006-4971            the whole document</p> <p>---</p> <p>-/-</p>	1-5, 10-36, 43-58

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## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>YEOH ENG-JUH ET AL: "Classification, subtype discovery, and prediction of outcome in pediatric acute lymphoblastic leukemia by gene expression profiling." CANCER CELL, vol. 1, no. 2, March 2002 (2002-03), pages 133-143, XP002253604 March, 2002 ISSN: 1535-6108 page 140, right-hand column, last paragraph -page 142, left-hand column, line 36</p> <p>-----</p> <p>RELLING MARY V ET AL: "Pharmacogenetics and cancer therapy." NATURE REVIEWS CANCER, vol. 1, no. 2, 20 November 2001 (2001-11-20), pages 99-108, XP009016905 ISSN: 1474-175X page 100, right-hand column, line 8 -page 104, right-hand column, last line</p> <p>-----</p> <p>MCLEAN LEE ANNE ET AL: "Correlation of Cytogenetic Response with Gene Expression Profiles in Chronic Myelogenous Leukemia Patients Treated with Imatinib (GleevecTM/Glivec(R))." BLOOD, vol. 100, no. 11, 16 November 2002 (2002-11-16), page Abstract No. 527 XP009016665 44th Annual Meeting of the American Society of Hematology;Philadelphia, PA, USA; December 06-10, 2002 ISSN: 0006-4971 the whole document</p> <p>-----</p> <p>MALINOWSKI RACHEL H ET AL: "Pharmacogenetic Analysis of Cytogenetic Response in Chronic Myelogenous Leukemia Patients Treated with Imatinib (Glivec(R)/GleevecTM, STI571)." BLOOD, vol. 100, no. 11, 16 November 2002 (2002-11-16), page Abstract No. 2149 XP009016666 44th Annual Meeting of the American Society of Hematology;Philadelphia, PA, USA; December 06-10, 2002 ISSN: 0006-4971 the whole document</p> <p>-----</p>	1-5, 10-36, 43-58
A		6-9, 37-42, 58-69
P,X		1-5, 10-36, 43-58
P,X		6-9, 37-42, 58-69

FURTHER INFORMATION CONTINUED FROM PCT/SA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. Claims: 1-5, 10-36, 43-57 completely, 58 partially

Methods and kits for predicting the response to treatment with tyrosine kinase inhibitor based on differential expression of a plurality of 55 reporter genes as listed in Tables 12A and 12B

2. Claims: 6-9, 37-42, 59-69 completely, 58 partially

Methods and kits for predicting the response to treatment with tyrosine kinase inhibitor based on the detection of single nucleotide polymorphisms in one or more of the three genes CYP1A1, DKFZP434C131 and IL-1 beta

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### Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1.  Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely:
  
2.  Claims Nos.: because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
  
3.  Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

### Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple Inventions in this international application, as follows:

see additional sheet

1.  As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
  
2.  As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
  
3.  As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
  
4.  No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

#### Remark on Protest

- The additional search fees were accompanied by the applicant's protest.
- No protest accompanied the payment of additional search fees.